

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of YVES-EVENS GUIRAND, Minor.

DEPARTMENT OF SOCIAL SERVICES,

Petitioner-Appellee,

v

SIMONE MARIE MATHURIN,

Respondent-Appellant,

and

YVES GUIRAND,

Respondent.

UNPUBLISHED

May 9, 1997

No. 199163

Kent Probate Court

LC No. 95-039301-NA

Before: Corrigan, C.J., and Young and Michael J. Talbot,* JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the October 7, 1996 order of the probate court terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g). We affirm.

The probate court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The conditions that caused the court to assume jurisdiction in this case continued to exist at the time of the termination hearing given that respondent-appellant ended her relationship with Herve Pascal only a few months before the termination hearing was held and the breakup did not occur until after the termination petition was filed. In light of respondent-appellant's history with Pascal and her dependent personality, it was doubtful that she would stay away from him in the future. Although

* Circuit judge, sitting on the Court of Appeals by assignment.

respondent-appellant attended therapy and worked on the goals of her treatment plan, she failed to recognize the role she played in her son's abuse. She therefore lacked the ability to protect him in the future and did not benefit from therapy. Respondent-appellant also failed to attend group therapy to address the problem of domestic violence in her relationship.

Affirmed.

/s/ Maura D. Corrigan
/s/ Robert P. Young, Jr.
/s/ Michael J. Talbot